

### INTERVIEW SUMMARY

A telephone interview was held on February 3, 2009 to discuss the merits of the present application. Examiner Yehdega Retta and Attorney of Record Larry Henneman participated in the interview.

Initially, Mr. Henneman pointed out that the present invention involved sequencing media file content and ad file content locally with respect to the user. In contrast, U.S. Patent No. 6,950,804 (Strietzel) discloses embedding ad files in media files on a server, then delivering the combined ad/media file as one contiguous file (e.g., conventional media streaming with embedded advertising). Examiner Retta acknowledged this distinction, but argued that original Claim 1 did not clearly recite this distinction. Mr. Henneman and Examiner Retta discussed specific claim language to clarify this distinction. It was agreed that the amendment of Claim 1 set forth herein clearly distinguishes over Strietzel.

Next, the objection to Claims 62-80 was discussed. Mr. Henneman agreed to amend Claim 62 to be in independent form, and to amend Claims 63-80 to depend, either directly or indirectly, from Claim 62. Examiner Retta agreed that this would overcome the objection to Claims 62-80.

Next, the rejection of Claims 1-61 and 104-108 under 35 U.S.C. §101 was discussed. Examiner Retta agreed that the amendment of Claim 1 set forth herein overcomes the rejection of Claim 1 under 35 U.S.C. §101. Claim 104 was not specifically discussed. However, Examiner Retta agreed to contact Mr. Henneman by telephone if any 35 U.S.C. §101 issues remain after the present amendment.

Finally, Applicants and Mr. Henneman thank Examiner Retta for the cooperative nature of the interview and for her constructive assistance in developing the language for the amendment to Claim 1.